

## **2013 DRAFTING REQUEST**

### **Bill**

Received: <b>1/5/2013</b>	Received By: <b>rchampag</b>
Wanted: <b>Today</b>	Same as LRB:
For: <b>Administration-Budget</b>	By/Representing: <b>Waterman</b>
May Contact:	Drafter: <b>rchampag</b>
Subject: <b>Employ Pub - employee benefits</b>	Addl. Drafters:
	Extra Copies:

Submit via email: **YES**  
Requester's email:  
Carbon copy (CC) to:

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### **Pre Topic:**

DOA:.....Waterman, BB0349 -

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### **Topic:**

Smoking surcharge for State Employee Health Insurance Coverage

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### **Instructions:**

See attached

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### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rchampag 1/5/2013			_____			
/1	rchampag 1/17/2013	scalvin 1/7/2013	phenry 1/7/2013	_____	mbarman 1/7/2013		State
/2	rchampag 1/28/2013	scalvin 1/17/2013	rschluet 1/17/2013	_____	srose 1/17/2013		State
/3	rchampag	scalvin	rschluet	_____	mbarman		State

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/5	rchampag 2/6/2013	scalvin 1/31/2013	jfrantze 1/31/2013	_____ _____	mbarman 1/31/2013		State
/6	rchampag 2/7/2013	kfollett 2/6/2013	phenry 2/6/2013	_____ _____	srose 2/6/2013		State
/7	rchampag 2/11/2013	jdyer 2/7/2013	rschluet 2/7/2013	_____ _____	mbarman 2/7/2013		State
/8	rchampag 2/12/2013	jdyer 2/11/2013	rschluet 2/11/2013	_____ _____	lparisi 2/11/2013		State
/9		kfollett 2/12/2013	rschluet 2/12/2013	_____ _____	lparisi 2/12/2013		State

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### Pre Topic:

DOA:.....Waterman, BB0349 -

### Topic:

Smoking surcharge for State Employee Health Insurance Coverage

### Instructions:

See attached

*Per Jenny, amendment surcharge for reducing  
future premiums & covering DETF costs,  
per DOA sec. calculation*

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*2/13*

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FE Sent For:

19 kgf  
2/12

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FE Sent For: 15 SAA  
01/31/2013  1/31

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DOA:.....Waterman, BB0349 -

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### Topic:

Wellness Assessments Required for State Employee Health Insurance Coverage

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### Instructions:

See attached

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14 SAC 01/30/2013 Jg 1/30 Jm 1/30

Vers. Drafted

Reviewed  
1/28/2013

Typed  
1/28/2013

Proofed  
\_\_\_\_\_

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DOA:..... Waterman, BB0349 -

### Topic:

Smoking Surcharge  
Wellness Assessments Required for State Employee Health Insurance Coverage

### Instructions:

See attached

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FE Sent For:

13 sac  
01/28/2013

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12 sac  
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1713  
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1/?	rchampag	11 SAC 01/07/2013	ph 1/7	ph 1/7			

FE Sent For:

<END>

## Champagne, Rick

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**From:** Hanaman, Cathlene  
**Sent:** Friday, January 04, 2013 12:34 PM  
**To:** Champagne, Rick  
**Subject:** FW: Statutory Language Drafting Request - BB0349

**From:** [mickie.waterman@wisconsin.gov](mailto:mickie.waterman@wisconsin.gov) [mailto:[mickie.waterman@wisconsin.gov](mailto:mickie.waterman@wisconsin.gov)]  
**Sent:** Friday, January 04, 2013 11:50 AM  
**To:** Hanaman, Cathlene  
**Cc:** Kraus, Jennifer - DOA; Waterman, Mickie D - DOA; Thornton, Scott - DOA  
**Subject:** Statutory Language Drafting Request - BB0349

**Biennial Budget:** 2013-15

**DOA Tracking Code:** BB0349

**Topic:** Wellness Program

**SBO Team:** GGCF

**SBO Analyst:** Waterman, Mickie D - DOA  
**Phone:** (608) 266-3382  
**E-mail:** [mickie.waterman@wisconsin.gov](mailto:mickie.waterman@wisconsin.gov)

**Agency Acronym:** ETF

**Agency Number:** 515

**Priority:** Medium

**Intent:**

State must offer a mandatory wellness program

**Attachments:** False

*Please send completed drafts to [statlanguage@wisapps.wi.gov](mailto:statlanguage@wisapps.wi.gov)*

## STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Per Mickel,

Make the assessment mandatory,  
though not the program. If they  
do not get the assessment, their  
insurance is terminated.



DOA:.....Waterman, BB0349 – Wellness Assessments Required for State  
Employee Health Insurance Coverage

**FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION**

*do not gen*  
1 AN ACT *do not gen*; relating to: the budget.

---

***Analysis by the Legislative Reference Bureau***  
**RETIREMENT AND GROUP INSURANCE**

*X* State employees currently receive health care coverage under plans offered by the Group insurance Board. This bill requires that, annually, beginning in 2014, each state employee and his or her dependents who receive health care coverage must, no later than April 1, complete a health risk assessment. The board must determine the components of the assessment and must encourage employees and dependents who may have health risks to participate in wellness or disease management programs. *X* under the bill, an employee or dependent who does not complete a health risk assessment on or before April 1 must have his or her health insurance coverage terminated and may not be eligible to receive health insurance coverage until he or she completes a health risk assessment.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

2 SECTION 1. 40.51 (6) of the statutes is renumbered 40.51 (6) (a) and amended  
3 to read:

40.51 (6) (a) ~~This Subject to par. (b), the~~ state shall offer to all of its employees at least 2 insured or uninsured health care coverage plans providing substantially equivalent hospital and medical benefits, including a health maintenance organization or a preferred provider plan, if those health care plans are determined by the group insurance board to be available in the area of the place of employment and are approved by the group insurance board. The group insurance board shall place each of the plans into one of 3 tiers established in accordance with standards adopted by the group insurance board. The tiers shall be separated according to the employee's share of premium costs.

**History:** 1981 c. 96; 1983 a. 27; 1985 a. 29; 1987 a. 27, 107, 356; 1987 a. 403 s. 256; 1989 a. 31, 93, 121, 129, 182, 201, 336, 359; 1991 a. 39, 70, 113, 152, 269, 315, 1993 a. 450, 481; 1995 a. 289; 1997 a. 27, 155, 202, 237, 252; 1999 a. 32, 95, 115, 155; 2001 a. 16, 38, 104; 2003 a. 33; 2005 a. 194; 2007 a. 36; 2009 a. 14, 28, 146, 218, 346; 2011 a. 10, 32, 133, 260.

**SECTION 2.** 40.51 (6) (b) of the statutes is created to read:

40.51 (6) (b) Annually, beginning in 2014, on or before April 1, each employee and his or her dependents who receive health care coverage under par. (a) shall complete a health risk assessment. The group insurance board shall determine the components of the assessment and shall encourage employees and dependents who may have health risks to participate in wellness or disease management programs. An employee or dependent who does not complete a health risk assessment on or before April 1 shall have his or her health insurance coverage terminated and may not be eligible to receive health insurance coverage under par. (a) until he or she completes a health risk assessment.

**(END)**

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1025/1dn

RAC:./:....

*Sac*

*date-*

Mickie Waterman:

\* I drafted the bill to require annual health risk assessments and provided that the assessments must be completed by April 1 of each year. Is this an annual requirement or a one-time requirement? Will April 1 work as the deadline? Also, I provided that the health risk assessment requirement applies to both employees and their dependents. Is this your intent? Finally, I provided that the Group Insurance Board shall determine the components of a health risk assessment. Please let me know if these things all work.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: rick.champagne@legis.wisconsin.gov

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1025/1dn  
RAC:sac:ph

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STATE OF WISCONSIN – LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Per Tenney & Mickel

- apply only to the employee - not dependents

- have GIBs look at 2013 for completion of HRA for 2014





State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1025/1

RAC:sac: [signature]

RMR

DOA:.....Waterman, BB0349 – Wellness Assessments Required for State  
Employee Health Insurance Coverage

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**

1 AN ACT *do not gen*; relating to: the budget.

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**RETIREMENT AND GROUP INSURANCE**

State employees currently receive health care coverage under plans offered by the Group Insurance Board. This bill requires that, annually, beginning in 2014, each state employee ~~and his or her dependents~~ who receive health care coverage must, no later than April 1, complete a health risk assessment. The board must determine the components of the assessment and must encourage employees and dependents who may have health risks to participate in wellness or disease management programs. Under the bill, an employee ~~or dependent~~ who does not complete a health risk assessment on or before April 1 must have his or her health insurance coverage terminated and may not be eligible to receive health insurance coverage until he or she completes a health risk assessment. (S)

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

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13           complete a health risk assessment. The group insurance board shall determine the  
14           components of the assessment and shall encourage employees ~~and dependent~~ who  
15           may have health risks to participate in wellness or disease management programs.  
16           An employee ~~or dependent~~ who does not complete a health risk assessment on or  
17           before April 1 shall have his or her health insurance coverage terminated and may  
18           not be eligible to receive health insurance coverage under par. (a) until he or she  
19           completes a health risk assessment.

20

(END)

Insent 2-20

**2013-2014 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1025/2ins  
RAC:sac:ph

**Insert 2-20:**

**SECTION 9112. Nonstatutory provisions; Employee Trust Funds.**

(1) HEALTH RISK ASSESSMENTS. For purposes of determining whether an employee has completed a health risk assessment in 2014, as required under section 40.51 (6) (b) of the statutes, as created by this act, the group insurance board shall consider an employee's completion <sup>in 2013</sup> of any test or procedure ~~in 2013~~ that would be considered a component of a health risk assessment to apply to the requirement for 2014.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Per Jimmy

→ Smoker surcharge, & ability to  
terminate coverage if they lie about  
smoking

→ apply to state employees & non state  
employees



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1025/2

RAC:sac:fs

RMR

DOA:.....Waterman, BB0349 – Wellness Assessments Required for State Employee Health Insurance Coverage

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**

1     **AN ACT** /...; **relating to:** the budget,

*Analysis by the Legislative Reference Bureau*  
**RETIREMENT AND GROUP INSURANCE**

State employees currently receive health care coverage under plans offered by the Group Insurance Board. This bill requires that, annually, beginning in 2014, each state employee who receives health care coverage must, no later than April 1, complete a health risk assessment. The board must determine the components of the assessment and must encourage employees ~~and dependents~~ who may have health risks to participate in wellness or disease management programs. Under the bill, ~~an~~<sup>a</sup> employee who does not complete a health risk assessment on or before April 1 must have his or her health insurance coverage terminated and may not be eligible to receive health insurance coverage until he or she completes a health risk assessment.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2           **SECTION 1.** 40.51 (6) of the statutes is renumbered 40.51 (6) (a) and amended  
3           to read:

1           40.51 (6) (a) This Subject to par. (b), the state shall offer to all of its employees  
2           at least 2 insured or uninsured health care coverage plans providing substantially  
3           equivalent hospital and medical benefits, including a health maintenance  
4           organization or a preferred provider plan, if those health care plans are determined  
5           by the group insurance board to be available in the area of the place of employment  
6           and are approved by the group insurance board. The group insurance board shall  
7           place each of the plans into one of 3 tiers established in accordance with standards  
8           adopted by the group insurance board. The tiers shall be separated according to the  
9           employee's share of premium costs.

10           SECTION 2. 40.51 (6) (b) of the statutes is created to read:

11           40.51 (6) (b) Annually, beginning in 2014, on or before April 1, each employee  
12           who receives health care coverage under par. (a) shall complete a health risk  
13           assessment. The group insurance board shall determine the components of the  
14           assessment and shall encourage eligible employees who may have health risks to participate  
15           in wellness or disease management programs. An eligible employee who does not complete  
16           a health risk assessment on or before April 1 shall have his or her health insurance  
17           coverage terminated and may not be eligible to receive health insurance coverage  
18           under par. (a) until he or she completes a health risk assessment.

19           SECTION 9112. Nonstatutory provisions; Employee Trust Funds.

20           (1) HEALTH RISK ASSESSMENTS. For purposes of determining whether an  
21           eligible employee has completed a health risk assessment in 2014, as required under section  
22           40.51 (6) (b) of the statutes, as created by this act, the group insurance board shall  
23           consider an employee's completion in 2013 of any test or procedure that would be

eligible

Handwritten: 2-19

1 considered a component of a health risk assessment to apply to the requirement for  
2 2014.

3 (END)

**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1025/3ins  
RAC:sac:rs

**Insert Analysis:**

The bill also authorizes the Group Insurance Board to impose a premium surcharge for health care coverage for state employees and retired state employees who smoke tobacco products and to terminate the health care coverage of any eligible employee who falsely claims that he or she does not smoke tobacco products.

**Insert 2-19:**

**SECTION 1.** 40.51 (6) (c) of the statutes is created to read:

40.51 (6) (c) Notwithstanding ss. 111.321, 111.322, and 111.35, beginning in 2014, the group insurance board may impose a premium surcharge for health care coverage under par. (a) for eligible employees who smoke tobacco products and may terminate the health care coverage of any eligible employee who falsely claims that he or she does not smoke tobacco products.